

FILED

APR 24 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS :
LIABILITY LITIGATION (No. VI) : 09-62581
: Consolidated Under
: MDL DOCKET NO. 875
CERTAIN PLAINTIFFS :
: Transferor District Court
v. : District of Delaware
:
CERTAIN DEFENDANTS :

O R D E R

AND NOW, this 22nd day of April 2009 it is hereby ORDERED that counsel in the cases listed in Exhibit "A", attached, will be required to hold a discovery planning conference, pursuant to Fed. R. Civ. P. 26(f), and submit to the Court a Fed. R. Civ. P. 26(f)(3) discovery plan by June 7th, 2009.

It is further ORDERED that this discovery plan shall adhere to the format of the "discovery plan template", attached as Exhibit "B".¹

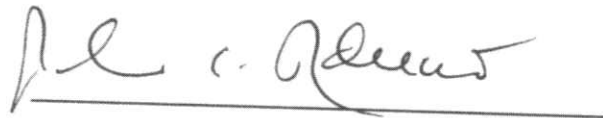
1. The Court has set presumptive deadlines of 120 days for completing discovery, and 30 days for each additional step of trial preparation thereafter.
2. ~~If the parties fail to submit a discovery plan to the~~
Court by June 21st, 2009, a scheduling order will be entered by the Court imposing the presumptive deadlines in the case.
3. If the parties wish to deviate from the presumptive

¹ Copies of the "discovery plan template" will also be available on the MDL 875 website, available at www.paed.uscourts.gov/mdl875.asp.

deadlines, parties must submit either a written stipulation signed by all parties modifying the presumptive deadlines or an individual request to deviate from the presumptive deadlines. If good cause is shown, the Court will adopt the stipulation of the parties or grant the individual request.

4. The agreed upon discovery plan, once completed, must be electronically filed in the Eastern District of Pennsylvania. In the event that the case does not have an individual Eastern District of Pennsylvania civil action number, the discovery plan must be filed electronically on the original docket in the transferor district court.

AND IT IS SO ORDERED.

A handwritten signature in dark ink, appearing to read 'Eduardo C. Robreno', is written over a horizontal line.

EDUARDO C. ROBRENO, J.

EXHIBIT "A"

DISTRICT OF DELAWARE

Herbert Pease	2:09-cv-62581	1:08-cv-00624
James Rea	2:07-cv-63027	1:06-cv-00668
Richard Agee	2:07-cv-63027	1:06-cv-00668
Nathan Redwine	2:07-cv-63027	1:06-cv-00668
Sheran Keller	2:07-cv-63027	1:06-cv-00668
Fred McDonell	2:07-cv-63027	1:06-cv-00668
James Kirk	2:07-cv-63027	1:06-cv-00668
Jack Rodgers	2:07-cv-63027	1:06-cv-00668
John Barton	2:07-cv-63027	1:06-cv-00668
Tom Dabbs	2:07-cv-63027	1:06-cv-00668
Jack Jones	2:07-cv-63027	1:06-cv-00668
John Colbert	2:07-cv-63027	1:06-cv-00668
James Weathers	2:07-cv-63027	1:06-cv-00668
Richard Taylor	2:07-cv-63027	1:06-cv-00668
Norman Brasher	2:07-cv-63027	1:06-cv-00668
Gilbert Hostetler	2:07-cv-63027	1:06-cv-00668
Elmer Staton	2:07-cv-63027	1:06-cv-00668
Ben Tipton	2:07-cv-63027	1:06-cv-00668
James Hamby	2:07-cv-63027	1:06-cv-00668
Charles Snider	2:07-cv-63027	1:06-cv-00668
Joseph Blau	2:07-cv-63027	1:06-cv-00668
James Hobgood	2:07-cv-63027	1:06-cv-00668
James Hogan	2:07-cv-63027	1:06-cv-00668
Lloyd Fuqua	2:07-cv-63027	1:06-cv-00668
Bradley Bishop	2:07-cv-63027	1:06-cv-00668
Delbert Potter	2:07-cv-63027	1:06-cv-00668
Clarence Sharp	2:07-cv-63027	1:06-cv-00668
Ellen Moss	2:07-cv-63027	1:06-cv-00668
Cecil Davison	2:07-cv-63027	1:06-cv-00668
Lester Sartain	2:07-cv-63027	1:06-cv-00668

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS :
LIABILITY LITIGATION (No. VI) : Consolidated Under
PLAINTIFF : MDL DOCKET NO. 875
v. : Civil Action No.
CERTAIN DEFENDANTS :

DISCOVERY PLAN TEMPLATE

Plaintiff Name(s) _____

E.D. Pa Case No. _____

Transferor Case No. (If no E.D. Pa No.) _____

Date that claim was originally filed _____

Plaintiff's Disease _____

1. All discovery must be completed by: **[Presumptive 120 days from date of 26(f) conference]** _____.
2. Plaintiff's expert reports must be filed by:
[Presumptive: 30 days from deadline in 1] _____.
3. Defendant's expert reports must be filed by:
[Presumptive: 30 days from deadline in 2] _____.
4. Rebuttal expert reports must be filed by: **[Presumptive: 30 days from deadline in 3]** _____.
5. Any dispositive motions must be filed by: **[Presumptive: 30 days from deadline in 4]** _____.
6. Responses to dispositive motions must be filed by:

[Presumptive: 30 days from deadline in 5]. _____.

7. Replies to responses to dispositive motions, if any, must be filed by: [Presumptive: 30 days from deadline in 6]. _____.

Plaintiff's Counsel

Defense Counsel

Date
